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08/847,561	04/24/97	GRIMES	M	
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	

F3M1/0128

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494 BROADWAY
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NGUYEN, K	EXAMINER
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2301	ART UNIT	PAPER NUMBER
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01/28/98

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/847,561

Applicant(s)
Martin O. Grimes Jr.

Examiner
Kien T. Nguyen

Group Art Unit
3301



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-13 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-13 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Claim Rejections - 35 USC § 112

1. Claims 3, 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3, line 1, it was not clear whether or not "a friction control surface" is same as the friction control surface as set forth in clause (b) of claim 1; line 2, "the lubricating substance" lacks antecedent basis.

Claim 4, line 1, it was not clear whether or not "a lubricating means" is same as the lubricating means as set forth in clause © of claim 1.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langford U.S. Patent 5,011,134 in view of Heller U.S. Patent 2,254,482.

Langford disclosed a slide apparatus comprising a fixed open ramp system having a plurality of open pipe structures (28) with a top and a bottom and having inner side and outer

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side; a lubrication means (water) as shown in Figs. 3 and 5 flows over the structures (28); the ramp system having an upwardly opening cross section and sloping downwardly and forwardly from the top to bottom; an entrance (22) at the top; a fluid inlet system is provided the lubrication as shown in Fig. 3; a grid apparatus (60) at the lowest point of the cross section of the ramp system serving as a collection channel for the lubrication means as shown in Fig. 5; means (48) for supporting the ramp system; a lubrication recirculation (54) system; Fig. 5 shows a first upper wall disposed on the left side of the longitudinal axis of the ramp system and a second upper wall disposed on the right of the longitudinal axis of the ramp system. It is noted that Langford does not show the use of a friction control surface disposed on the inner side of the ramp system. However, such friction control surface is well known in the art as evidenced by surface (5) of Heller used in the artificial skiing track. Therefore, it would have been-obvious to one of ordinary skill in the art to modify the ramp system of Langford with the friction control surface of Heller for the advantage to allow other types of equipment to slide on the ramp system.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Croul shows another type of surfing slide apparatus similar to present application.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kien Nguyen whose telephone number is (703) 308-2493.

**KIEN T. NGUYEN
PRIMARY EXAMINER
GROUP 3500**

ktn

January 23, 1998